

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re. Application of

Petri AHONEN

Serial No. **10/517,001**

Filed **May 31, 2005**



: Group Art Unit: **2184**

: Confirmation No.: **8749**

: Examiner: **Hyun NAM**

For: **Method and Apparatus for Programming Updates From a Network Unit to Mobile Device**

Mail Stop: **Appeal Brief — Patents**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY BRIEF

Sir:

Appellant received an Examiner's Answer dated 8 May 2009. Applicant subsequently received a correction to the Examiner's Answer dated 15 June 2009. Applicant is now filing a Reply Brief within two months from 8 May 2009 (although it appears that Applicant would be entitled to file a Reply Brief within two months from 15 June 2009).

If any fee and/or extension is required in addition to any enclosed herewith, please charge Account No. 23-0442.

I hereby certify that this paper is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Briefs-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Lissette Ramos

7/8/09
Date

REMARKS

At page 12 of the Examiner's Answer, last sentence, the Examiner purports to quote from Paragraph 18 of *Toyoshima*, but that quote is not correct. Applicant respectfully submits that the quote in the last sentence at page 12 of the Examiner's Answer is not supported by Paragraph 18 of *Toyoshima*. Paragraph 18 of *Toyoshima* does not say: "updating a primary code (a firmware) of a NAND Flash of a wireless module (a mobile device)."

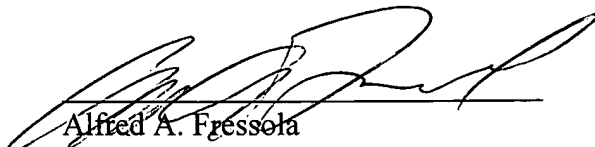
Figure 2 of *Toyoshima* is described at Paragraph 11 of *Toyoshima*: "for updating code utilizing wireless module 200 (shown in FIG. 1) to the peripheral device." This is the opposite of the present claim 1, which is for "updating a firmware of a mobile device" using an external memory unit. Nothing in Paragraph 18 of *Toyoshima* differs from what is stated in Paragraph 11 of *Toyoshima*.

The Examiner's Answer at page 13 has highlighted "and/or the peripheral device without the awareness or any operation of the user." Applicant respectfully points out that this highlighted material involves a step that occurs "after the code update process" according to Paragraph 18 of *Toyoshima*. Therefore, this highlighted material does not teach or suggest anything about the updating of the firmware of the mobile device.

Applicant incorporates herein by reference the other arguments contained in the
Appeal Brief.

Respectfully submitted,

Date: July 8, 2009



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